THE HON'BLE SRI JUSTICE GHULAM MOHAMMED

&

THE HON'BLE SRI JUSTICE B. SESHASAYANA REDDY

WP NO.22034 OF 2007

19-11-2007

Between:

K.Babu Rao

…Petitioner

and

P.Shailaja Kumari rep. by
Sri P.Govinda Reddy, and another.

… Respondents

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THE HON'BLE SRI JUSTICE GHULAM MOHAMMED

&

THE HON'BLE SRI JUSTICE B. SESHASAYANA REDDY

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WP NO.22034 OF 2007

ORDER: (per Sri GM,J)

This writ petition is filed assailing the order dated 13-9-2007 passed in IA No.609 of 2007 in IA No.460 of 2005 in LGC No.45 of 2004 by the Special Court under AP Land Grabbing (Prohibition) Act, Court No.II, allowing the said IA filed under Section 151 CPC for Police aid to implement the order dated 27-4-2005 passed in IA No.460 of 2005.

Heard Ms.Y. Aruna Gamini, learned counsel for the petitioner and the learned Government Pleader for Home.

In IA No.460 of 2005 in LGC No.45 of 2004, the Court below directed both the parties to maintain status-quo as on the date of the order i.e.27-4-2005 in respect of the property in question. Alleging that the in violation of the said status-quo order, the petitioner herein was carrying out construction activity on the property in question, the respondent herein filed above IA for Police aid to implement the status-quo order granted by the Court in IA No.460 of 2005. The Court below suo-moto appointed advocate Commissioner, who on inspection reported to the Court that the construction activity was going on the southern side of the property and under those circumstances, allowed IA and granted Police aid to implement the status-quo order passed by the Court.

Inasmuch as the Court below, based on the advocate Commissioner's report to the effect that construction activity was going on in the property and such activity was being carried on, in spite of status-quo order passed by the Court, granted Police aid, which in our considered view do not suffer from any error of law or infirmity warranting interference by this Court. The writ petition fails and it is accordingly dismissed.

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Ghulam Mohammed, J

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B. Seshasayana Reddy, J

Dated: 19th November, 2007

Nrg.